IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

KENDALL HENDERSON, AIS #218588,)
Plaintiff,))) CASE NO. 2:20-CV-381-WKW
v.) CASE NO. 2.20-C V-361-W K W) [WO]
LEIGH GWATHNEY, et al.,)
Defendants.)

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 10.) Plaintiff has filed an objection. (Doc. # 12.) Based upon an independent and *de novo* review of those portions of the Recommendation to which objection is made, 28 U.S.C. § 636(b), the court finds that the objection lacks merit. Accordingly, it is ORDERED as follows:

- (1) Plaintiff's Objection (Doc. # 12) is OVERRULED;
- (2) The Recommendation (Doc. # 10) is ADOPTED;
- (3) Plaintiff's request for monetary damages against Leigh Gwathney and Clifford Walker is DISMISSED with prejudice under 28 U.S.C. §1915(e)(2)(B)(iii) as Defendants are entitled to sovereign and quasi-judicial immunity from such damages.

- (4) Plaintiff's claims challenging the fundamental legality of the revocation of his parole by Defendants are DISMISSED without prejudice under 28 U.S.C. 1915(e)(2)(B)(ii) as such claims currently provide no basis for relief.
- (5) Plaintiff's supplemental state law claim is DISMISSED without prejudice to any right Plaintiff may have to present this claim to the state courts, *see* 28 U.S.C. §1367(c).
- (6) This action is DISMISSED prior to service of process under 28 U.S.C. 1915(e)(2)(B)(ii) and (iii).

A final judgment will be entered separately.

DONE this 5th day of August, 2020.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE